



COMMONWEALTH of VIRGINIA

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

JAMES S. REINHARD, M.D.
COMMISSIONER

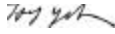
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MEMORANDUM

March 28, 2003

TO: CSB & BHA Executive Directors

FROM: Joy Yeh, CPA, Ph.D. 
Assistant Commissioner, Financial Administration

SUBJECT: TECHNICAL BULLETIN 2003-01 (FUEL TAX REFUNDS)

Background

This technical bulletin amends and replaces TB 98-1 (Fuel Tax Refunds) and is now available on the Department's web page. Technical Bulletins, issued by the Office of Financial Reporting and Compliance, communicate important financial information to CSBs in the following areas:

- Cost saving and revenue enhancing suggestions
 - Internal control and efficiency issues
 - Technical and tax issues
-

Fuel Tax Issue

Some CSBs have not been aware of the opportunity to obtain refunds of federal and state excise taxes on gasoline used in agency vehicles. DMV indicates that **only 6 CSBs** have filed refund claims since August 2002.

- Combined federal and state taxes-35.9 cents per gallon
 - Average refunds estimated at \$5,000 per year
-

Applies To

Direct purchases of fuel by CSBs at stations by cash, credit card, or on account.

Not Applicable

- Fuel purchased from local governments
 - Gas card purchases that refund both federal and state excise taxes
 - Diesel Fuel or Kerosene Purchases (IRS refund does not apply)
-

Other Suggestions

Filing for refunds of excise taxes is time consuming. Some CSBs have used the following options, instead of purchasing fuel directly from stations.

- Purchase fuel from local governments (no need to file for tax refunds)
 - Use corporate gas cards (some cards file for federal and state refunds)
-

nda/JY
pc James S. Reinhard, MD

CSB Finance Directors (e-mailed)

Subject

FUEL TAX REFUNDS: FEDERAL AND STATE

Purpose

To provide guidance to CSBs in filing fuel tax refund claims to the IRS and DMV.

Procedure

The following pages explain how to complete refund claims for the Federal government (IRS Form 8849) and State government (DMV Form FT 216):

- Current Refund Amounts (Federal & State)
 - IRS and Code of Virginia References
 - Step by step refund procedures (form completion)
 - Completed forms examples
 - Tips and suggestions
 - Filing deadlines
 - Blank forms, instructions, and website addresses (IRS & DMV)
-

Fill-in Forms

The IRS and DMV blank forms contained on the Office's web site have been formatted to allow CSBs to enter information while the form is displayed by an Adobe Acrobat 3.0 (or later) product and then print the completed form out. The Fill-in Forms **cannot** be saved unless the CSB has an Adobe Writer.

- Saves time in completing forms
 - These fill in forms are also available on the IRS and DMV websites
 - Caution: forms cannot be saved after exiting the form
-

Standards Guide

This and other Technical Bulletins may be incorporated into future updates of the Financial Management Standards Guide for CSBs.

Disclaimer

The DMHMRSAS Division of Financial Administration is not engaged in rendering legal or other professional advice. Technical Bulletins are offered as guidance tools for CSBs only.

FEDERAL EXCISE TAX REFUNDS (IRS FORM 8849)

Current Refund

The current federal excise tax refund amount is

- 18.4 cents per gallon for gasoline only

IRS Ref

This bulletin refers to the most current IRS forms & publications.

- IRS Form 8849 (issued Jan 2003)
- IRS Publication 378 (issued December 2002)—see website

Refund Procedure

See attached completed form example

Step	Procedure
1	Accumulate total “gasoline” purchased over the past quarter
2	Complete IRS Form 8849-(Schedule 1) Claim for Refund of Excise Taxes (This is a new Schedule since Jan 1997 IRS form revision)
	Line 1a-Gasoline, enter type “14” in column a Line 1a- enter gallons in column c Line 1a –enter gallons x rate total in column d Complete agency name, tax id, and total refund on top of form
3	Complete IRS Form 8849 “Claim for Refund of Excise Taxes”
	Complete form: agency name, tax id, address, tax year ends (06), and phone number Check off box by Schedule 1 Sign and date form
4	Mail Form 8849 along with 8849 Schedule 1 to: Internal Revenue Service Cincinnati, OH 45999-0002

Diesel Kerosene

CSBs should present their tax exemption certificates when purchasing.
No refund is permitted for these fuels (see attached exemption certificates).

Tips

Generally, the CSB should file Form 8849 quarterly. If quarterly filings have not been made, the CSB should file annually (see deadlines –next section).

DO	DON'T
File quarterly, if refund is \$750 or more and the CSB has been filing regularly.	File if quarterly refund is less than \$750 and/or the CSB has not been filing quarterly (file annually instead)
File annually if the CSB has not been filing quarterly.	Send Gas Receipts to IRS
File on Time	

FEDERAL EXCISE TAX REFUNDS (IRS FORM 8849), continued

Filing Deadlines

The IRS has strict filing deadlines. Your refund claim will be denied if not timely filed. Deadlines apply to quarterly filing and annual filing of IRS Form 8849.

Quarterly Filing Deadlines (based on Fiscal Year Ending June 30)

<u>Quarter Ending</u>	<u>Deadline</u>
Sep 30	Dec 31
Dec 31	Mar 31
Mar 31	Jun 30
Jun 30	Sep 30

Annual Filing Deadlines (based on Fiscal Year Ending June 30)

<u>Example FYE</u>	<u>Deadline</u>
6/30/00	6/30/03
6/30/01	6/30/04
6/30/02	6/30/05
6/30/03	6/30/06
6/30/04	6/30/07
6/30/05	6/30/08

Deadline References

Quarterly and Annual deadlines are contained in the following references

- **Internal Revenue Code section 6427 (i)(2)(B)**
 - **Treasury Regulation 48.6421-3 (b) (ii)**
-

What if I Have Not Filed?

If the CSB has never filed, you can begin to file according to the deadlines noted above. As you can see, the IRS has a three-year statute of limitations on filing refund claims. This is permitted in Treasury Regulation 48.6421-3 (b) (ii).

- **You have 3 years from the end of fiscal year to file at the latest**
-

Print clearly. Leave a blank box between words.

Name of claimant

[illegible]

Address (number, street, room or suite no.)

[illegible]

City and state or province. If you have a foreign address, see page 2.

[illegible]

Foreign country, if applicable. Do not abbreviate.

[illegible]

Daytime telephone number (optional)

[illegible]

Employer identification number (EIN)

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Social security number (SSN)

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ZIP code

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Month claimant's income
tax year ends

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Caution: Do not use Form 8849 to make adjustments to liability reported on Forms 720 for prior quarters or to claim any amounts that were or will be claimed on **Schedule C (Form 720)**, Claims, **Form 4136**, Credit for Federal Tax Paid on Fuels, **Form 2290**, Heavy Highway Vehicle Use Tax Return, or **Form 730**, Monthly Tax Return On Wagers.

Schedules Attached

Check (✓) the appropriate box(es) for the schedule(s) you attach to Form 8849. Only attach the schedules on which you are claiming a refund. Schedules 2, 3, 5, and section 4091(d) claims on Schedule 6 cannot be filed with any other schedules on Form 8849. File each of these schedules with a separate Form 8849.

Schedule 1	Nontaxable Use of Fuels.	<input type="checkbox"/>
Schedule 2	Sales by Registered Ultimate Vendors of Undyed Diesel Fuel and Undyed Kerosene.	<input type="checkbox"/>
Schedule 3	Gasohol Blending	<input type="checkbox"/>
Schedule 4	Sales by Gasoline Wholesale Distributors	<input type="checkbox"/>
Schedule 5	Section 4081(e) Claims	<input type="checkbox"/>
Schedule 6	Other Claims	<input type="checkbox"/>

Under penalties of perjury, I declare (1) that I have examined this claim, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete, and (2) that amounts claimed on this form have not been, and will not be, claimed on any other form.

Sign
Here

Signature and title (if applicable)

Date _____

Type or print your name below signature.

Schedule 1
(Form 8849)

(Rev. January 2003)

Department of the Treasury—Internal Revenue Service

Nontaxable Use of Fuels

▶ Attach to Form 8849.

OMB No. 1545-1420

Name as shown on Form 8849

EIN or SSN

Total refund (see instructions)

\$

Period of claim: Enter month, day, and year
in MMDDYYYY format.

From ▶

To ▶

1	Nontaxable Use of Gasoline and Gasohol	(a) Type of use	(b) Rate	(c) Gallons	(d) Amount of refund Multiply col. (b) by col. (c)	(e) CRN
a	Gasoline		\$.184		\$	362
			.184			
b	10% gasohol		.132			359
c	7.7% gasohol		.14396			375
d	5.7% gasohol		.15436			376

2 Nontaxable Use of Aviation Gasoline

a	Use in commercial aviation (other than foreign trade)		\$.15		\$	354
b	Other nontaxable use		.194			324
			.194			

3 Nontaxable Use of Undyed Diesel Fuel

Claimant has the name and address of the person(s) who sold the diesel fuel to the claimant and the date(s) of the purchase(s) and if exported, the required proof of export.

Claimant certifies that the diesel fuel did not contain visible evidence of dye.

Exception. If any of the diesel fuel included in this claim **did** contain visible evidence of dye, attach a detailed explanation and check here ☐**Caution:** Claims cannot be made on line 3 for diesel fuel used on a farm for farming purposes or for the exclusive use by a state or local government. Only registered ultimate vendors may make those claims using Schedule 2.

	(a) Type of use	(b) Rate	(c) Gallons	(d) Amount of refund Multiply col. (b) by col. (c)	(e) CRN
a	Nontaxable use (see Caution above)	\$.244		\$	360
		.244			
b	Use in trains	.20			353
c	Use in certain intercity and local buses	.17			350

4 Nontaxable Use of Undyed Kerosene

Claimant has the name and address of the person(s) who sold the kerosene to the claimant and the date(s) of the purchase(s) and if exported, the required proof of export.

Claimant certifies that the kerosene did not contain visible evidence of dye.

Exception. If any of the kerosene included in this claim **did** contain visible evidence of dye, attach a detailed explanation and check here ☐**Caution:** Claims cannot be made on line 4 for kerosene used on a farm for farming purposes, for the exclusive use by a state or local government, or for sales from a blocked pump. Only registered ultimate vendors may make those claims using Schedule 2.

	(a) Type of use	(b) Rate	(c) Gallons	(d) Amount of refund Multiply col. (b) by col. (c)	(e) CRN
Nontaxable use (see Caution above)		\$.244		\$	346
		.244			

5 Nontaxable Use of Aviation Fuel

a	Use in commercial aviation (other than foreign trade)	\$.175		\$	355
b	Other nontaxable use	.219			369
c	Other nontaxable use	.044			377

6 Nontaxable Use of Liquefied Petroleum Gas (LPG) in Certain Buses

a	Use in certain intercity and local buses	\$.062		\$	352
b	Use in qualified local buses	.136			361
	Use in school buses	.136			

STATE EXCISE TAX REFUNDS (DMV FORM FT 216)

Current Refund

The current state excise tax refund amount is:

- 17.5 cents per gallon for gasoline
 - 16.0 cents per gallon for diesel
-

Code Ref

State fuel tax refunds are included in the Code of Virginia.

- § 58.1-2259 Fuel Uses Eligible for Refund
-

Refund Procedure

see attached completed form example

Step	Procedure
1	Accumulate total gasoline gallons purchased <u>and</u> receipts over the past 12 months
2	Complete DMV Form FT 216-Application for Fuels Tax Refund – OTHER Section
	<ul style="list-style-type: none">• enter dates of attached receipts (i.e., date range from-to) Top Section• enter type of equipment (usually passenger vans and cars)• enter purpose for which used (agency use-gasoline or diesel)• enter gallons used• sign and mail form Note: DMV calculates the refund
3	Complete Top Section of Form FT 216: agency name, tax id, address, and check appropriate boxes special fuels or gasoline Complete Bottom Section of Form FT 216: signature, date, phone number
4	Mail Form FT 216 to: The Department of Motor Vehicles-REFUND SECTION P.O. Box 25700 Richmond, VA 23260-5700 (New Phone Number (804) 367-1831)

Tips

After the first refund application. CSBs should file Form FT 216 at least quarterly.

DO	DON'T
Attach all receipts	Send in Receipts for less than 5 gallons
File on Time (12 month deadline)	Send in Receipts greater than 12 months old

Filing Deadline

The filing deadline is twelve (12) months from the date of a receipt. DMV will accept receipts as long as the envelope is **postmarked 12 months** from the date of the oldest receipt or sooner.

Read the instructions on the back carefully
before completing this application

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MOTOR VEHICLES
REFUND SECTION

DMV USE ONLY

Preparer _____

Reviewer _____

APPLICATION FOR FUELS TAX REFUND

Application for refund on (check appropriate box)

☐ Special Fuels (Diesel or other)☒ Gasoline

Complete The Applicable Questions Below:

NAME Virginia CSB		SOCIAL SECURITY NUMBER OR EIN 54-1234567	
ADDRESS 1220 Bank Street	STREET	CITY Richmond	STATE VA
		ZIP 23218	

DATES OF ATTACHED INVOICES		Fill out the applicable section below and attach invoices or tickets to this application	Do you fuel licensed and unlicensed equipment from the same Storage Tank? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Earliest (Mo., Day, Yr.) 4/1/2003	Latest (Mo., Day, Yr.) 6/30/2003		

BOATS	PURPOSE OF USE		TOTAL GALLONS USED		
	<input type="checkbox"/> Recreational and Pleasure Boats and Ships	License Number	Diesel	Gasoline	
	COMMERCIAL USE <input type="checkbox"/> Fishing <input type="checkbox"/> Clamming <input type="checkbox"/> Oystering <input type="checkbox"/> Crabbing		License Number	Diesel	Gasoline
	COMMERCIAL USE <input type="checkbox"/> Charter <input type="checkbox"/> Ferry <input type="checkbox"/> Taxi <input type="checkbox"/> Construction <input type="checkbox"/> Other (Specify)		License Number	Diesel	Gasoline
					Clean Special Fuels
					Clean Special Fuels

AVIATION	SOLD TO:	TOTAL GALLONS USED		
		Diesel	Gasoline	Clean Special Fuels

AGRICULTURE	TYPE OF EQUIPMENT (Unlicensed Equipment Only) Specify	TOTAL GALLONS USED		
		Diesel	Gasoline	Clean Special Fuels

OTHER	TYPE OF EQUIPMENT	PURPOSE FOR WHICH USED	TOTAL GALLONS USED		
	Passenger vans and cars	Agency Use	Diesel	Gasoline 14,394	Clean Special Fuels

Certification: I certify that I have read this application and know its contents and that all information herein is true and accurate. I affirm that all enclosed receipts, invoices, and tickets have been paid in full and that they have not been altered or furnished to support a prior fuel tax refund application in Virginia or elsewhere. I understand that it is unlawful to knowingly make a false statement on the application or to submit a false receipt(s), invoice(s), or ticket(s) and that any violation may be prosecuted as a Class 5 Felony (§§18.2-434 and 46.2-105).

AUTHORIZED SIGNATURE	DATE 07/01/2003	TELEPHONE NUMBER (804) 786-5025
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DMV USE ONLY

TYPE	

FORMS AND REFERENCES

Blank Forms

Blank IRS and State Refund Claim forms and instructions are attached to this section.

- IRS FORM 8849-Claim for Refund of Excise Taxes (rev Jan 2003)
- IRS FORM 8849 (Schedule 1)-Nontaxable Use of Fuels (rev Jan 2003)
- DMV FORM FT 216-Application for Fuels Tax Refund (rev 7/2000)
- Exemption Certificate-Gasoline
- Exemption Certificate-Diesel Fuel and Kerosene

CSBs may use these forms or download blank forms from the IRS and DMV websites.

Web Sites

Web site addresses are as follows for forms:

- IRS Website www.irs.gov
 - DMV Website www.dmv.state.va.us
 - DMHMRSAS website www.dmhmrzas.state.va.us
-

Fill-in Forms

As noted on earlier in this technical bulletin, fill-in forms are available on the Office's website and on the IRS and DMV websites.

References

Copies of the various Treasury Regulations, Internal Revenue Code sections, and Code of Virginia citations may be obtained by contacting the Office of Financial Reporting and Compliance.

Print clearly. Leave a blank box between words.

Name of claimant

[illegible]

Address (number, street, room or suite no.)

[illegible]

City and state or province. If you have a foreign address, see page 2.

[illegible]

Foreign country, if applicable. Do not abbreviate.

[illegible]

Daytime telephone number (optional)

[illegible]

Employer identification number (EIN)

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Social security number (SSN)

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ZIP code

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Month claimant's income
tax year ends

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Caution: Do not use Form 8849 to make adjustments to liability reported on Forms 720 for prior quarters or to claim any amounts that were or will be claimed on **Schedule C (Form 720)**, Claims, **Form 4136**, Credit for Federal Tax Paid on Fuels, **Form 2290**, Heavy Highway Vehicle Use Tax Return, or **Form 730**, Monthly Tax Return On Wagers.

Schedules Attached

Check (✓) the appropriate box(es) for the schedule(s) you attach to Form 8849. Only attach the schedules on which you are claiming a refund. Schedules 2, 3, 5, and section 4091(d) claims on Schedule 6 cannot be filed with any other schedules on Form 8849. File each of these schedules with a separate Form 8849.

Schedule 1	Nontaxable Use of Fuels.	<input type="checkbox"/>
Schedule 2	Sales by Registered Ultimate Vendors of Undyed Diesel Fuel and Undyed Kerosene.	<input type="checkbox"/>
Schedule 3	Gasohol Blending	<input type="checkbox"/>
Schedule 4	Sales by Gasoline Wholesale Distributors	<input type="checkbox"/>
Schedule 5	Section 4081(e) Claims	<input type="checkbox"/>
Schedule 6	Other Claims	<input type="checkbox"/>

Under penalties of perjury, I declare (1) that I have examined this claim, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete, and (2) that amounts claimed on this form have not been, and will not be, claimed on any other form.

Sign
Here

Signature and title (if applicable)

Date _____

Type or print your name below signature.

General Instructions

Section references are to the Internal Revenue Code.

A Change To Note

After December 31, 2002, the rates change for gasohol. The new rates are shown on Schedule 1, lines 1b, 1c, and 1d, Schedule 3, and on Schedule 4, lines 2, 3, and 4.

Additional Information

You may find the following publications helpful when preparing Form 8849. The publications have definitions of terms used in the instructions.

- **Pub. 510**, Excise Taxes for 2003, has more information on excise taxes.
- **Pub. 378**, Fuel Tax Credits and Refunds, has more information on nontaxable uses.

Purpose of Form

Use Schedules 1 through 5 to claim certain fuel related refunds such as nontaxable uses (or sales) of fuels. Form 8849 lists the schedules by number and title.

Use Schedule 6 for claims not reportable on Schedules 1–5, including refunds of excise taxes reported on:

- **Form 720**, Quarterly Federal Excise Tax Return, including section 4091(d) claims;
- **Form 730**, Monthly Tax Return on Wagers;
- **Form 11-C**, Occupational Tax and Registration Return for Wagering; or
- **Form 2290**, Heavy Highway Vehicle Use Tax Return.

Filers only need to complete and attach to Form 8849 the applicable schedules.

Do not use Form 8849:

- To make adjustments to liability reported on Forms 720 filed for prior quarters. Use Form 720X.
- To claim amounts that you took or will take as a credit on Schedule C (Form 720), Form 4136, Form 2290, or Form 730.

How To Fill In Form 8849

Name and Address

Print the information in the spaces provided. Begin printing in the first box on the left. Leave a blank box between each name and word. If there are not enough boxes, print as many letters as there are boxes. Use hyphens for compound names; use one box for each hyphen.

P.O. box. If your post office does not deliver mail to your street address and you have a P.O. box, show your box number instead of your street address.

Foreign address. Enter the information in the following order: city, state or province, and the name of the country. Follow the country's practice for entering the postal code. Do not abbreviate the country's name.

Taxpayer Identification Number (TIN)

Enter your employer identification number (EIN) in the boxes provided. If you are not required to have an EIN, enter your social security number (SSN). An incorrect or missing number will delay processing your claim.

Month Income Tax Year Ends

Enter the month your income tax year ends. For example, if your income tax year ends in December, enter "12" in the boxes. If your year ends in March, enter "03".

Signature

Form 8849 must be signed by a person with authority to sign this form for the claimant.

Where To File

- For Schedules 1, 4, and 6 (except section 4091(d) claims on Schedule 6), mail Form 8849 to:

Internal Revenue Service
Cincinnati, OH 45999-0002

- For Schedules 2, 3, 5, and 6 (only section 4091(d) claims on Schedule 6), mail Form 8849 to:

Internal Revenue Service
P.O. Box 312
Covington, KY 41012-0312

Caution: *Private delivery services designated by the IRS cannot deliver items to P.O. boxes. You must use the U.S. Postal Service to mail any item to an IRS P.O. box address. For details on designated private delivery services, see Pub. 509, Tax Calendars for 2003.*

Including the Refund in Income

Include any refund of excise taxes in your gross income if you claimed the amount of the tax as an expense deduction that reduced your income tax liability. See Pub. 378 for more information.

Information for Completing Schedules 1–5

Note: *Your refund will be delayed or Form 8849 will be returned to you if you do not follow the required procedures or do not provide all the required information. See the instructions for each schedule.*

Complete each schedule and attach all information requested for each claim you make. Be sure to enter your name and TIN on each schedule you attach. Generally, for each claim, you must enter the:

- Period of the claim.
- Item number (when requested) from the **Type of Use Table** on page 3.
- Rate (as needed). See the separate schedule instructions.
- Number of gallons.
- Amount of refund.

If you need more space for any line on a schedule (for example, you have more than one type of use) prepare a separate sheet with the same information. Include your name and TIN.

Period of Claim

Enter the period of the claim for each type of claim using the MMDDYYYY format. For example, the first quarter of 2003 for a calendar-year taxpayer would be 01012003 to 03312003.

Type of Use Table

The following table lists the nontaxable uses of fuels. You must enter the number from the table in the **Type of Use** column as required on Schedules 1 and 4.

No.	Type of Use
1	On a farm for farming purposes
2	Off-highway business use (for business use other than in a highway vehicle registered or required to be registered for highway use)
3	Export
4	In a boat engaged in commercial fishing
5	In certain intercity and local buses
6	For diesel fuel in a qualified local bus
7	In a bus transporting students and employees of schools (school buses)
8	For diesel fuel and kerosene used other than as a fuel in the propulsion engine of a train or diesel-powered highway vehicle (but not off-highway business use)
9	In foreign trade
10	Certain helicopter and fixed-wing air ambulance uses
11	For aviation fuel used other than as a fuel in the propulsion engine of an aircraft
12	In a highway vehicle owned by the United States that is not used on a highway
13	Exclusive use by a nonprofit educational organization
14	Exclusive use by a state, political subdivision of a state, or the District of Columbia
15	In an aircraft or vehicle owned by an aircraft museum
16	In military aircraft
17	For use in the production of special fuels

Additional Information for Schedules 1, 2, and 3

Annual Claims

An annual claim must be made on **Form 4136**, Credit for Federal Tax Paid on Fuels, for the income tax year during which the fuel was:

- Used by the ultimate purchaser.
- Sold by the registered ultimate vendor.
- Used to produce gasohol.

The following claimants must use Form 8849 (Schedule 1) for annual claims:

1. The United States,
2. A state, political subdivision of a state, or the District of Columbia, and

3. Organizations exempt from income tax under section 501(a) (provided that the organization is not required to file **Form 990-T**, Exempt Organization Business Income Tax Return, for that taxable year).

For claimants included in 1–3 above, the annual Form 8849 for fuel used during the taxable year must be filed within the 3 years following the close of the taxable year. For these claimants, the taxable year is based on the calendar year or fiscal year it regularly uses to keep its books.

Note: *Gasoline used by the above claimants on a farm for farming purposes (type of use 1) is an allowable use on Line 1 of Schedule 1.*

Privacy Act and Paperwork Reduction Act Notice. We ask for the information on the form and schedules to carry out the Internal Revenue laws of the United States. We need it to figure and collect the right amount of tax. Subtitle F, Procedure and Administration, of the Internal Revenue Code allows refunds of taxes imposed under Subtitle D, Miscellaneous Excise Taxes. The form and schedules are used to determine the amount of the refund that is due to you. Section 6109 requires you to provide your taxpayer identification number (SSN or EIN). Routine uses of tax information include giving it to the Department of Justice for civil and criminal litigation, and cities, states, and the District of Columbia for use in administering their tax laws. We may also disclose this information to Federal and state agencies to enforce Federal nontax criminal law and to combat terrorism.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file the form and schedules will vary depending on individual circumstances. The estimated average times are:

	Recordkeeping	Learning about the law or the form	Preparing, copying, assembling, and sending the form to the IRS
Form 8849	3 hr., 35 min.	30 min.	34 min.
Schedule 1	11 hr., 57 min.		12 min.
Schedule 2	7 hr., 39 min.	12 min.	19 min.
Schedule 3	3 hr., 21 min.		3 min.
Schedule 4	4 hr., 46 min.		4 min.
Schedule 5	5 hr., 15 min.	6 min.	11 min.
Schedule 6	4 hr., 18 min.	12 min.	16 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making the form and schedules simpler, we would be happy to hear from you. You can write to the Tax Forms Committee, Western Area Distribution Center, Rancho Cordova, CA 95743-0001. **Do not** send Form 8849 to this address. Instead, see **Where To File** on page 2.



Schedule 1
(Form 8849)

(Rev. January 2003)

Department of the Treasury—Internal Revenue Service

Nontaxable Use of Fuels

▶ Attach to Form 8849.

OMB No. 1545-1420

Name as shown on Form 8849

EIN or SSN

Total refund (see instructions)

\$

Period of claim: Enter month, day, and year
in MMDDYYYY format.

From ▶

To ▶

1	Nontaxable Use of Gasoline and Gasohol	(a) Type of use	(b) Rate	(c) Gallons	(d) Amount of refund Multiply col. (b) by col. (c)	(e) CRN
a	Gasoline		\$.184		\$	362
			.184			
b	10% gasohol		.132			359
c	7.7% gasohol		.14396			375
d	5.7% gasohol		.15436			376

2 Nontaxable Use of Aviation Gasoline

a	Use in commercial aviation (other than foreign trade)		\$.15		\$	354
b	Other nontaxable use		.194			324
			.194			

3 Nontaxable Use of Undyed Diesel Fuel

Claimant has the name and address of the person(s) who sold the diesel fuel to the claimant and the date(s) of the purchase(s) and if exported, the required proof of export.

Claimant certifies that the diesel fuel did not contain visible evidence of dye.

Exception. If any of the diesel fuel included in this claim **did** contain visible evidence of dye, attach a detailed explanation and check here ☐**Caution:** Claims cannot be made on line 3 for diesel fuel used on a farm for farming purposes or for the exclusive use by a state or local government. Only registered ultimate vendors may make those claims using Schedule 2.

	(a) Type of use	(b) Rate	(c) Gallons	(d) Amount of refund Multiply col. (b) by col. (c)	(e) CRN
a	Nontaxable use (see Caution above)	\$.244		\$	360
		.244			
b	Use in trains	.20			353
c	Use in certain intercity and local buses	.17			350

4 Nontaxable Use of Undyed Kerosene

Claimant has the name and address of the person(s) who sold the kerosene to the claimant and the date(s) of the purchase(s) and if exported, the required proof of export.

Claimant certifies that the kerosene did not contain visible evidence of dye.

Exception. If any of the kerosene included in this claim **did** contain visible evidence of dye, attach a detailed explanation and check here ☐**Caution:** Claims cannot be made on line 4 for kerosene used on a farm for farming purposes, for the exclusive use by a state or local government, or for sales from a blocked pump. Only registered ultimate vendors may make those claims using Schedule 2.

	(a) Type of use	(b) Rate	(c) Gallons	(d) Amount of refund Multiply col. (b) by col. (c)	(e) CRN
Nontaxable use (see Caution above)		\$.244		\$	346
		.244			

5 Nontaxable Use of Aviation Fuel

a	Use in commercial aviation (other than foreign trade)	\$.175		\$	355
b	Other nontaxable use	.219			369
c	Other nontaxable use	.044			377

6 Nontaxable Use of Liquefied Petroleum Gas (LPG) in Certain Buses

a	Use in certain intercity and local buses	\$.062		\$	352
b	Use in qualified local buses	.136			361
	Use in school buses	.136			

Instructions

Purpose of Schedule

An ultimate purchaser of gasoline, gasohol, aviation gasoline, diesel fuel, kerosene, aviation fuel, and liquefied petroleum gas (LPG) uses Schedule 1 to make a claim for refund. The fuel must have been used in a nontaxable use. See the instructions for lines 1 through 5 for more information.

Claim Requirements

The following requirements must be met:

1. The amount claimed on Schedule 1 must be at least \$750. This amount may be met by:

- a.** Making a claim for fuel used during any quarter of a claimant's income tax year or
- b.** Aggregating amounts from any quarters of the claimant's income tax year for which no other claim has been made.

2. The claim must be filed during the first quarter following the last quarter included in the claim. For example, a claim for the quarters consisting of July through September and October through December must be filed between January 1 and March 31.

3. Only one claim may be filed for a quarter.

Note: If requirements 1-3 above are not met, see **Annual Claims** in the Form 8849 instructions.

Total Refund

Add all amounts in column **(d)** and enter the result in the total refund box at the top of the schedule.

Type of Use

The fuel must have been used for one or more of the types of use listed in the instructions for lines 1 through 5. The nontaxable uses are listed in the Type of Use Table in the Form 8849 instructions.

How To File

Attach Schedule 1 to Form 8849. Mail to the IRS at the address under **Where To File** in the Form 8849 instructions.

Line 1. Nontaxable Use of Gasoline and Gasohol

Claimant. The ultimate purchaser of the gasoline or gasohol is the only person eligible to make this claim.

Allowable uses. The gasoline or gasohol must have been used during the period of claim for type of use 2, 3, 4, 5, 7, 12, 13, 14, or 15. Type of use 2 does not include any personal use or use in a motorboat.

Line 2. Nontaxable Use of Aviation Gasoline

Claimant. The ultimate purchaser of the aviation gasoline is the only person eligible to make this claim.

Allowable uses. For line 2b, the aviation gasoline must have been used during the period of claim for type of use 3, 9, 10, 13, 14, 15, or 16.

Line 3. Nontaxable Use of Undyed Diesel Fuel

Claimant. The ultimate purchaser of the diesel fuel is the only person eligible to make this claim.

Caution: Claims cannot be made on line 3 for diesel fuel:

- Used on a farm for farming purposes or
- For the exclusive use by a state or local government.

Only registered ultimate vendors may make those claims; see Schedule 2.

Allowable uses. For line 3a, the diesel fuel must have been used during the period of claim for type of use 2, 3, 6, 7, 8, 12, 13, or 15. Type of use 8 includes use as heating oil and use in a boat. Type of use 2 does not include any personal use or use in a motorboat.

Line 4. Nontaxable Use of Undyed Kerosene

Claimant. The ultimate purchaser of the kerosene is the only person eligible to make this claim.

Caution: Claims cannot be made on line 4 for kerosene:

- Used on a farm for farming purposes,
- For the exclusive use by a state or local government, or
- Sales from a blocked pump.

Only registered ultimate vendors may make those claims; see Schedule 2.

Allowable uses. The kerosene must have been used during the period of claim for type of use 2, 3, 7, 8, 12, 13, or 15. Type of use 8 includes use as heating oil and use in a boat. Type of use 2 does not include any personal use or use in a motorboat.

Line 5. Nontaxable Use of Aviation Fuel

Claimant. The ultimate purchaser of the aviation fuel is the only person eligible to make this claim.

Allowable uses. For line 5b (aviation fuel taxed at a rate of 21.9 cents a gallon) or line 5c (aviation fuel taxed at a rate of 4.4 cents a gallon), the aviation fuel must have been used during the period of claim for type of use 1, 3, 9, 10, 11, 13, 14, 15, or 16.

Line 6. Nontaxable Use of Liquefied Petroleum Gas (LPG) in Certain Buses

Claimant. The ultimate purchaser of the LPG (such as propane or butane) is the only person eligible to make this claim.



Read the instructions on the back carefully
before completing this application

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF MOTOR VEHICLES
REFUND SECTION**

DMV USE ONLY	
Preparer _____	
Reviewer _____	

APPLICATION FOR FUELS TAX REFUND

Application for refund on (check appropriate box) ☐ **Special Fuels (Diesel or other)** ☐ **Gasoline**

Complete The Applicable Questions Below:

NAME _____			SOCIAL SECURITY NUMBER OR EIN _____	
ADDRESS _____	STREET _____	CITY _____	STATE _____	ZIP _____

DATES OF ATTACHED INVOICES		Fill out the applicable section below and attach invoices or tickets to this application	Do you fuel licensed and unlicensed equipment from the same Storage Tank? YES <input type="checkbox"/> NO <input type="checkbox"/>
Earliest (Mo.,Day,Yr.) _____	Latest (Mo., Day, Yr.) _____		

BOATS	PURPOSE OF USE		TOTAL GALLONS USED			
	<input type="checkbox"/> Recreational and Pleasure Boats and Ships		License Number _____	Diesel _____	Gasoline _____	
	COMMERCIAL USE <input type="checkbox"/> Fishing <input type="checkbox"/> Clamming <input type="checkbox"/> Oystering <input type="checkbox"/> Crabbing		License Number _____	Diesel _____	Gasoline _____	Clean Special Fuels _____
	COMMERCIAL USE <input type="checkbox"/> Charter <input type="checkbox"/> Ferry <input type="checkbox"/> Taxi <input type="checkbox"/> Construction <input type="checkbox"/> Other (Specify) _____		License Number _____	Diesel _____	Gasoline _____	Clean Special Fuels _____

AVIATION	SOLD TO: _____	TOTAL GALLONS USED		
	_____	Diesel _____	Gasoline _____	Clean Special Fuels _____

AGRICULTURE	TYPE OF EQUIPMENT (Unlicensed Equipment Only)Specify _____	TOTAL GALLONS USED		
	_____	Diesel _____	Gasoline _____	Clean Special Fuels _____

OTHER	TYPE OF EQUIPMENT _____	PURPOSE FOR WHICH USED _____	TOTAL GALLONS USED		
	_____	_____	Diesel _____	Gasoline _____	Clean Special Fuels _____

Certification: I certify that I have read this application and know its contents and that all information herein is true and accurate. I affirm that all enclosed receipts, invoices, and tickets have been paid in full and that they have not been altered or furnished to support a prior fuel tax refund application in Virginia or elsewhere. I understand that it is unlawful to knowingly make a false statement on the application or to submit a false receipt(s), invoice(s), or ticket(s) and that any violation may be prosecuted as a Class 5 Felony (§§18.2-434 and 46.2-105).

AUTHORIZED SIGNATURE _____	DATE _____	TELEPHONE NUMBER _____
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DMV USE ONLY

TYPE _____ _____ _____	_____
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INSTRUCTIONS

1. Complete the applicant information section completely. Please sign your application. DMV will compute the amount of refund due based on the applicable tax rate(s).
2. Enclose copies of invoices/tickets supporting application. (DO NOT include invoices/tickets showing a purchase of less than five (5) gallons or out of state purchases. These are not refundable.)
3. All invoices/tickets used to support the application must be filed with DMV within twelve (12) months from the date the fuel is purchased. The post-mark date on the envelope governs the filing date.
4. The invoices/tickets must meet the following requirements:
 - Exact date of purchase (month-day-year)
 - Quantity (# of gallons) of fuel purchased
 - Amount paid for fuel (Diesel fuel and clean special fuel purchases must show the amount of state tax paid)
 - Each invoice/ticket must show the name and address of the Virginia dealer that fuel was purchased from.
5. Complete the section or sections that apply to the type of fuel refund you are requesting.
 - **BOATS/SHIPS**
Recreational and Pleasure
Commercial Use (Fishing, Clamming, Oystering, Crabbing)
Commercial Use (Charter, Ferry, Taxi, Construction, Other)
 - **LICENSE NUMBER:** State Registration Number or Documented Number
 - **AVIATION:** Aviation gasoline or bonded aviation special fuels sold to the federal government or any of its agencies, or the State of Virginia or any of its political subdivisions (cities, counties, towns).
 - **AGRICULTURAL:** Unlicensed farm vehicles/equipment only. Vehicles with farm tags are considered licensed vehicles and are not eligible for a refund.
 - **OTHER:** Gasoline or Diesel used for:
 - Stationary engines
 - Rail cars
 - Accidental loss of fuel
 - Sales to the federal government or its agencies
 - Sales to the State of Virginia or its political subdivisions
 - Private non-profit, non-sectarian schools
 - Solid waste compacting vehicles, ready-mix concrete vehicles and bulk feed delivery trucks (35% of tax paid per gallon)
 - Self-propelled equipment manufactured for a specific off-road purpose. Equipment is used on a job site and the movement of which on any highway is incidental to the purpose for which it was designed and manufactured for equipment tags or special permit.
 - Any other non-highway use of fuel as provided for in the Code of Virginia
6. Mail your completed application and supporting documents to:

DEPARTMENT OF MOTOR VEHICLES
REFUND SECTION
P.O. BOX 25700
RICHMOND, VIRGINIA 23260-5700

- NOTE:**
- Any invoice(s)/ticket(s) used to support an application that has been altered, previously submitted to support a prior claim, quantity less than five (5) gallons or is not legible will not be honored for a refund.
 - Records must be retained for three years and the method used to determine off-highway and on-highway fuel use must be documented. Applications and records are subject to audit.
 - Additional forms may be obtained from the address shown above or by calling (804) 367-1831.

PLEASE SIGN YOUR APPLICATION

EXEMPTION CERTIFICATE-GASOLINE

STATE/LOCAL GOVERNMENT USE

(For use by States and local governments (including CSBs) (section 4221(a)(4) of the Internal Revenue Code.))

(Date) , 20 ...

I hereby certify that I am (Title of Officer) of
..... (State or local government)
that I am authorized to execute this certificate; and that:

(Check applicable type of certificate)

..... the article or articles specified in the accompanying order, or on the reverse side hereof, (or)
..... all orders placed by the purchaser for the period commencing (Date) and ending
(Date) (period not to exceed 12 calendar quarters), are, or will be, purchased
from (Name of manufacturer) for the exclusive use of (Governmental unit)
..... of (State or local government)

I understand that the exemption from tax in the case of sales of articles under this exemption certificate to a State, etc., is limited to the sale of articles purchased for its exclusive use. I understand that the fraudulent use of this certificate for the purpose of securing this exemption will subject me and all parties making such fraudulent use of this certificate to a fine of not more than \$10,000, or to imprisonment for not more than 5 years, or both, together with costs of prosecution.

(Signature)(CSB Officer)

(Address)

EXEMPTION CERTIFICATE-DIESEL FUEL & KEROSENE

STATE/LOCAL GOVERNMENT USE

(To support vendor's claim for a credit or payment under section 6427 of the Internal Revenue Code.)

Vendor Name: _____ Vendor Employer ID#: _____

Vendor Address: _____

The undersigned buyer ("Buyer") hereby certifies the following under penalties of perjury: Buyer will use the diesel fuel or kerosene for the exclusive use of a State or local government, or the District of Columbia.

This certificate applies to the following (complete as applicable):

If this is a single purchase certificate, check here _____ and enter:

1. Invoice or delivery ticket number _____

2. _____ (number of gallons)

If this is a certificate covering all purchases under a specified account or order number, check here ____ and enter:

1. Effective date _____

2. Expiration date _____ (period not to exceed 1 year after the effective date)

3. Buyer account or order number _____

Buyer will provide a new certificate to the vendor if any information in this certificate changes.

If Buyer uses the diesel fuel or kerosene to which this certificate relates for a purpose other than stated in the certificate Buyer will be liable for tax.

Buyer understands that the fraudulent use of this certificate may subject Buyer and all parties making such fraudulent use of this certificate to a fine or imprisonment, or both, together with the costs of prosecution.

_____ Printed or Typed name of person signing

_____ Title of person signing

_____ Name of Buyer (CSB)

_____ Employer identification number

_____ Address of Buyer (CSB)

_____ Signature and date signed